

SENATE BILL 398

E2, D1

01r0843
CF HB 208

By: **Senators Raskin, Gladden, Kelley, and Muse**

Introduced and read first time: January 29, 2010

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Courts – County Administrative Judge – Responsibilities**

3 FOR the purpose of establishing that the date for trial of a criminal matter in the
4 circuit court shall be set by the county administrative judge or a designee of the
5 judge; authorizing a county administrative judge to delegate to any judge,
6 committee of judges, or officer or employee of the Judicial Branch of State
7 government any of the administrative responsibilities, duties, and functions of
8 the county administrative judge; and generally relating to the responsibilities of
9 county administrative judges.

10 BY repealing and reenacting, with amendments,
11 Article – Criminal Procedure
12 Section 6–103
13 Annotated Code of Maryland
14 (2008 Replacement Volume and 2009 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article – Criminal Procedure**

18 6–103.

19 (a) (1) The date for trial of a criminal matter in the circuit court shall be
20 set **BY THE COUNTY ADMINISTRATIVE JUDGE OR A DESIGNEE OF THE JUDGE**
21 within 30 days after the earlier of:

22 (i) the appearance of counsel; or

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) the first appearance of the defendant before the circuit
2 court, as provided in the Maryland Rules.

3 (2) The trial date may not be later than 180 days after the earlier of
4 those events.

5 (b) (1) For good cause shown, the county administrative judge or a
6 designee of the judge may grant a change of the trial date in a circuit court:

7 (i) on motion of a party; or

8 (ii) on the initiative of the circuit court.

9 (2) If a circuit court trial date is changed under paragraph (1) of this
10 subsection, any subsequent changes of the trial date may only be made by the county
11 administrative judge or that judge's designee for good cause shown.

12 (c) **A COUNTY ADMINISTRATIVE JUDGE MAY DELEGATE TO ANY JUDGE,
13 COMMITTEE OF JUDGES, OR OFFICER OR EMPLOYEE OF THE JUDICIAL BRANCH
14 OF STATE GOVERNMENT ANY OF THE ADMINISTRATIVE RESPONSIBILITIES,
15 DUTIES, AND FUNCTIONS OF THE COUNTY ADMINISTRATIVE JUDGE.**

16 (d) The Court of Appeals may adopt additional rules to carry out this section.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2010.